United Nations S/PV.4673

Security Council

Fifty-seventh year

Provisional

4673rd meeting

Wednesday, 18 December 2002, 10 a.m.

New York

President:	Mr. Valdivieso	(Colombia)
Members:	Bulgaria	Mr. Raytchev
	Cameroon	Mr. Tidjani
	China	Mr. Wang Yingfan
	France	Mr. Tosi
	Guinea	Mr. Boubacar Diallo
	Ireland	Mr. Ryan
	Mauritius	Mr. Koonjul
	Mexico	Mrs. Arce de Jeannet
	Norway	Mr. Kolby
	Russian Federation	Mr. Konuzin
	Singapore	Mr. Mahbubani
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Harrison
	United States of America	Mr. Cunningham

Agenda

Briefings by the Chairmen of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait, the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, the Security Council Committee established pursuant to resolution 1267 (1999), the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, and the Working Group of the Security Council on United Nations Peacekeeping Operations

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02-74654 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Briefings by the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait, the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, the Security Council Committee established pursuant to resolution 1267 (1999), the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, and the Working Group of the Security Council on United Nations Peacekeeping Operations

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, we will hear briefings by the Chairmen of the Security Council Committee established by resolution 661 (1990), concerning the situation between Iraq and Kuwait; the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola; the Security Council Committee established pursuant to resolution 1267 (1999); the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia; the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; and the Working Group of the Security Council on United Nations Peacekeeping Operations.

In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to Mr. Ole Peter Kolby, Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait; Mr. Richard Ryan, Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola; the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999); Mr. Kishore Mahbubani, Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia; Mr. Jagdish Koonjul, Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; and Mr. Wegger Christian Strommen, Chairman of the Working Group of the Security Council on United Nations Peacekeeping Operations.

It is so decided.

I now give the floor to Mr. Ole Peter Kolby, Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait.

Mr. Kolby: Let me start by underlining the fact that I am speaking in my personal capacity and not on behalf of the members of the 661 Committee.

During the past two years, the volume of work of the Committee has continued to increase. The Committee has dealt with a wide range of issues of a complex and diverse nature. Due to the complexity of the issues on the agenda, the meetings of the 661 Committee have often been marked by frank discussion and even controversies. We have not been able to achieve results on all issues, but we have been able to handle the work, I believe, to the benefit of the Iraqi people, while implementing loyally the different resolutions of the Council.

The Committee has attached high priority to the processing of contracts submitted under the oil-for-food programme. Much of the Committee's attention has been focused on the question of holds on contracts, and the Committee has completed its series of informal meetings on sectorial activities, with presentations by the United Nations agencies and programmes concerned.

Earlier this year, the Security Council put into operation the Goods Review List and a new set of procedures, thereby easing the flow of humanitarian goods into Iraq. This was a milestone during my tenure as Chairman, and I would like to pay tribute to the members of the Council who worked so hard to make it possible to adopt resolution 1409 (2002).

The Office of the Iraq Programme, the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy

Agency have ensured a smooth transition to the revised procedures on schedule, and I would like to pay tribute to them as well.

The implementation of the Goods Review List and its procedures has brought about much-needed improvement in the flow of goods into Iraq. However, the benefits have, to some extent, been affected by a shortfall in the funding for the humanitarian programme. The funding shortfall has been of great concern to the Committee. The question of maximizing revenues for the humanitarian programme has been extensively discussed in the 661 Committee.

A great deal of time has also been devoted to discussing reported violations of the sanctions, as well as to humanitarian exemptions under resolution 661, passenger shipping services and flights to Iraq, and application of Article 50 of the Charter. For further details on the work of the Committee in this regard, I would like to draw the Council's attention to the various reports submitted to the Council by the Committee.

Since 1 January 2001, the Committee has held 33 formal meetings. As Chairman, I have given oral briefings to interested missions and to the press about the work of the Committee after each formal meeting. The Committee has also held frequent informal consultations at the expert level.

As the Secretary-General said in his report to the Council dated 12 November, the humanitarian Programme in Iraq was not intended to be a substitute for normal economic activity. As long as the sanctions remain in force, there is no alternative to the Programme for addressing the humanitarian situation in Iraq. Despite its shortcomings, the Programme has made, and continues to make, a major difference in the lives of ordinary Iraqis.

Let me conclude by extending my deep gratitude to the Executive Director of the Office of the Iraq Programme, Mr. Benon Sevan, and his staff and to the Secretary of the Committee, Mr. Jingzhang Wan, and others in the Security Council Subsidiary Organs Branch. Their support and guidance has been invaluable.

The President (*spoke in Spanish*): I thank Ambassador Kolby for his briefing.

I now give the floor to Ambassador Richard Ryan, Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola.

Mr. Ryan: The Committee established pursuant to resolution 864 (1993) concerning the situation in Angola was, of course, dissolved last week by the Security Council on adoption of resolution 1448 (2002). I cannot, therefore, speak as Chairman of the 864 Committee, as it no longer exists. Even if it did exist, I believe the comments I make here today could be made only in a personal or national capacity. There will, of course, be the annual report of the 864 Committee. I believe, in fact, that Council members will already have received a draft copy.

The circumstances surrounding the termination of the 864 Committee are happy ones, the sort that the international community hopes for. The positive military and political developments in Angola since early this year provided the Council with the basis to take the welcome action that it did last week. It is difficult to measure precisely how much impact the Council's sanctions — and, by extension, the 864 Committee's efforts — had on events in Angola. I believe, though, it is right to say that the Council's efforts did indeed have some influence on what has transpired.

Perhaps the most straightforward measure to use is to contrast how the international community was implementing the sanctions at the beginning of 1999 with the situation at the beginning of 2002. For a number of years previously, we had witnessed widespread, if not total, disregard for the Council's measures against UNITA. That prolonged the conflict in Angola, and it did nothing to enhance the reputation of the Council or of the United Nations. It will be recalled that, under the chairmanship of Ambassador Fowler of Canada, a whole new dynamic was introduced to this file. I will not retrace the details here. In summary, though, the Council, through its innovative resolution 1295 (2000), put the international community on notice that the sanctions against UNITA should no longer be treated as a paper tiger: impunity would be met with the full force of the resolutions concerned.

Resolution 1295 (2000) provided for a number of steps. None was more important in providing the sanctions regime with teeth than the establishment in July 2000 of the Monitoring Mechanism on Angola Sanctions. The Mechanism allowed the sanctions

Committee to be furnished with additional and detailed information about the violations of the sanctions and to investigate where that information led. Its very existence sent a strong warning that the Committee had an additional arm that would systematically and constantly monitor sanctions violations and the violators. I am convinced that this acted as a strong deterrent to those who had already engaged in sanctions-busting, or who might have considered doing so. I would like to pay personal tribute to the dedication and the work of Ambassador Juan Larrain, the Chairman of the Monitoring Mechanism, and his colleagues in the Mechanism.

The harmonious atmosphere of the 864 Committee and the related absence of political differences on the conflict in Angola itself were important contributing factors to the success of its work. As Chairman of the Committee, I took the view, which was supported by all members, that a firewall of sorts should exist between the sanctions regime and the political track being pursued by the Secretary-General. It was, in my view, crucial to maintain the distinction between the Committee's work and that political track. The dovetailing of these lines that has occurred in the past few weeks, when the sanctions regime and the work of the Joint Commission set up under the Lusaka Protocol overlapped, was an inevitable and welcome development in the circumstances. But, until that historic moment, it was important for our joint objectives to avoid any entanglement. And I believe that this has worked very well.

The Committee's united approach opened the way in September 2001 for the adoption of a revised list of senior UNITA officials and adult members of their immediate families. Those whose names appeared on the list were subject to travel and financial restrictions. A renewed signal of the Committee's seriousness was being sent to UNITA and its supporters. Directly arising from this, seven United Nations Member States froze bank accounts of individuals included in the list.

The Committee also engaged a private sector organization to investigate UNITA's international financial networks. Although the investigation did not reveal significant new information on UNITA's financial operations, another strong signal was, I believe, being sent to UNITA and to the international financial community of the Council's determination to close off as many avenues as possible.

The cooperation of Committee members and other Member States extended well beyond New York. In my capacity as Chairman, I visited 11 States, where I raised, often at Government level, the priorities of the sanctions Committee. Such visits proved extremely useful for familiarization and direct contact with Governments and other interested parties, both to gather information and to convey the message of the Security Council's continuing determination in seeing the implementation of its measures.

An important aspect of the sanctions Committee's work in the past two years has been the high level of cooperation it received from the Government of Angola. It is no secret that the relationship between the United Nations and Angola has not always been a happy one. However, I believe that the work of the Committee and the impact this had on eroding UNITA's capacity to wage war have increased the credibility of the United Nations and of the Security Council in Angola's eyes.

The Angolan authorities played their part in this, particularly over the past two years, when they engaged in bilateral discussions with a number of States that had provided support to UNITA. The African Union also played a part, establishing an Ad Hoc Committee on the Implementation of Sanctions Against UNITA, which visited a number of States, including some that had caused concern to the Monitoring Mechanism. I, myself, had a number of useful meetings with the Ad Hoc Committee.

As Chairman, I followed very closely the Kimberley Process, with its focus on the diamond industry, and I engaged with the Wasenaar arrangement, given its focus on weapons. Both of these areas were central to the Angolan conflict. Although there are highly complex issues at stake, including valuable commercial interests, I am pleased to note that significant advances were made by the Kimberley Process. Some of the same issues — for example, in the marking of weapons and the registration of weapons dealers and brokers — should be addressed more urgently in the weapons field.

The 864 Committee and its investigative arm grappled with many sensitive and complicated aspects that have not been without controversy. Matters such as the compilation of lists of individuals subject to financial and travel restrictions, the use of outside contractors to assist in the work of the Committee, the

role of arms brokers, the capacity and willingness of the diamond industry to police itself better and how to encourage individual Member States to take action in support of the sanctions regime have all given plenty of cause for thought. Many of these issues remain the subject of debate and, perhaps out of necessity, or for other reasons, can be dealt with only on a case-by-case basis.

An issue that I would like to add to the sanctions agenda is what line the Council should take towards sanctions-busters when a sanctions regime has been dissolved. In such circumstances, is the Council prepared to allow past transgressions to be quietly forgotten or, in the interest of deterrence, should the Council contemplate pursuing the transgressors? If follow-up activity is required, the question of who would carry this out raises itself.

It is not my intention to provoke a debate on a permanent monitoring structure. However, the issue of follow-up is a legitimate one to raise. We believe it is an important element in favour of a permanent body which could collect evidence and intelligence and help create an institutional memory within the United Nations in this regard.

Many of the issues raised in the work of the 864 Committee have simultaneously occupied the time of other sanctions committees, most notably those dealing with Sierra Leone and Liberia. On balance, the more imaginative and, frankly, more intrusive methods adopted by the Council and its committees in the period since the publication of the Fowler Report in March 2000, and the adoption one month later of resolution 1295 (2000), have paid real dividends. The advances should not lead to complacency, however. Innovative thinking and refinement of practice could possibly lead to further success.

I know from my time as Chairman of the 864 Committee, and as a representative of a member of the Council, that there is plenty of thinking going on inside and outside the Council in New York and elsewhere. I would encourage this to continue and, where profitable, use of the experience offered by the work of the 864 Committee to allow sanctions to play a positive role in the maintenance of international peace and security.

The President (*spoke in Spanish*): Now I will give a briefing in my capacity as Chairman of the Security Council Committee established pursuant to resolution 1267 (1999). Since the responsibility of chairing the committees is a personal one, I am presenting this report as have Ambassadors Kolby and Ryan, who spoke before me.

In the last two years I have had the opportunity of chairing the 1267 Committee, previously known as the Committee on Afghanistan. The name change is significant for this Committee because it reflects the developments that have turned it into an instrument of global scope in order to tackle the terrorist network that is one of the greatest challenges to international peace and security today.

I will begin by talking about the dedicated efforts of all the members of the Committee as well as for the support work provided by the Secretariat. The report on the work I carried out in 2001 was published under document S/2002/101. The report on this year's work will be published in the coming days. I would also like to mention the reports of the Monitoring Group, the last of which was submitted to the Committee last week and will shortly be distributed as a Security Council document.

The 1267 Committee has, besides its global scope, another special characteristic, since it is the only active sanctions committee established to fight terrorism, in particular Osama bin Laden, Al Qaeda, the Taliban and their associates.

The first sanctions against the Taliban were applied almost two years before 11 September. The measures were later extended to Al Qaeda. The different acts of terrorism in the last two years — among which the events of 11 September of last year will continue to be stressed — have raised a few questions on the role of the Security Council with respect to the challenge of strongly responding to the danger of these organizations. Was there a lack of information? Was there no decision? Should the Council act preventively?

I can assure the Council that we have been lacking in meeting our responsibilities vis-à-vis the challenges of terrorism. That is why I now make a plea to make up for lost time in complying with our duties as the Security Council and in general as Members of the United Nations.

In January of this year the Council adopted resolution 1390 (2002), which extended the scope of coverage of sanctions to a global level. The comprehensiveness of the sanctions is a special

characteristic of this regime and one of the main differences from other current sanctions regimes. This raises serious challenges for its implementation.

As we have said on other occasions, the fight against terrorism must be preventive in nature in order to be effective. Capturing the person responsible for planting a bomb is undeniably a positive act of justice. But it is even better to prevent a terrorist act from ever taking place.

In its activity the Committee has had to deal with the claims and requests from people who have allegedly been unfairly affected by the application of sanctions. In this respect, I must say that this is not an easy discussion. But in any case, it is clear that neither the Committee nor the international community can limit itself to exhausting all the judicial procedures to sentence someone after a terrorist act has been committed. Even though we realize that we have to act with sufficient precautions in order to prevent arbitrary actions, it is just as true that we must develop very skilful preventive efforts and make them more thorough. In this respect, the guidelines adopted by the Committee on 7 November provide procedures for including new names on the list, as well as for excluding names.

The present sanctions regime has three elements: the freezing of financial resources, travel bans, and arms embargoes.

With respect to the freezing of resources, it is not easy to try to have a conclusive assessment of the results achieved. Nonetheless, as is said in the Monitoring Group's report, Al Qaeda still has access to considerable financial and economic resources. We have to use our imagination in order to come up with ways to make this measure more effective.

As for the travel ban, thus far we have not received any information on people on the Committee list who have tried to travel and have been rejected because of this measure. Nevertheless, the Monitoring Group has drawn the attention of the members of the Committee to the need for the Committee list to be used in a specific manner by the immigration authorities of Member countries. For this, the list must be as accurate as possible.

The experts have also drawn the attention of the Committee to how easy it is in certain countries to legally change a name. Additionally, we have to think about a set of recommendations on what immigration authorities in any country should do when they find themselves facing someone who is on the list. Can that person be arrested? Do they send him back where he came from? What can they do?

The third measure, the arms embargo, is also difficult to apply in isolation. The experts' recommendations are in line with the recommendations that have come up in various forums where illegal arms trafficking, in particular in small arms and light weapons, has been discussed. The different expert groups that monitor the sanctions regimes imposed by the Security Council have made similar recommendations. It would be fitting to have a discussion on these recommendations, in particular since they have the advantage of arising from the concrete experience of the experts in these monitoring groups in dealing with arms embargoes in specific cases.

The list of people and entities associated with the Taliban, with Al Qaeda or with Osama bin Laden is the main instrument the Committee has. At this point, the list has 232 individuals and 92 entities subject to sanctions. It is clear that we have to make additional efforts to try to make the list more specific and truly usable.

There is another aspect that needs to be emphasized. The Monitoring Group has detected at least 104 names of individuals who are not on the list and who, according to information from the press or other sources, have been identified as or accused of having ties with Al Qaeda. Some of these are even under arrest. Here, I would like to point out that Member States have obligations with respect to providing information to the Committee. This question should receive special consideration next month, when we must consider the extension of the mandate.

With respect to cooperation received from Member States, the results have been moderate. In addition to the remaining names to be included in the list, to which I referred a moment ago, 80 reports have been received from Member States. However, more and more countries are submitting to the Committee requests to add names to the list. As mentioned in the report of the Committee, 59 delegations have submitted requests of this kind to the Committee.

I have referred on various occasions to the reports of the Monitoring Group. Those reports contain

recommendations requiring the direct action of the 1267 Committee, as well as other recommendations of a general nature, to be taken into consideration by Member States. Next January, in conformity with the provisions of paragraph 3 of resolution 1390 (2002), the Council must review the sanctions imposed in order to evaluate their effectiveness and, if necessary, to modify or strengthen them.

I wish to stress, as we have done on previous occasions, that the Security Council must be more active in its work related to the functions of the 1267 Committee — namely, the activities and work of the Counter-Terrorism Committee (CTC) — in particular, by preparing actions and decisions against States, individuals and organizations directly or indirectly involved in terrorist activities. In other words, we must move from a general framework of cooperation to the implementation of measures by considering specific cases. To do that, the CTC's mandate will require review and modification. This is an area in which we have not yet been able to establish real points of contact and exchange. In an ideal world of effective cooperation, the existence of the CTC should contribute to the effectiveness of the 1267 Committee. However, it is obvious that there is still a gap between the framework of cooperation created by the CTC and effective implementation in specific cases, which is the domain of the 1267 Committee.

In conclusion, allow me to underline that, although international terrorism is not a new phenomenon, after 11 September 2001 it took on the added dimension of a challenge to international peace and security. The recent terrorist attacks in Indonesia and in Kenya, among others, have also had the result of raising the international community's awareness of the fact that we are facing a global phenomenon. This challenge requires us to be more proactive and vigilant and to find innovative mechanisms to combat it.

I now resume my functions of President of the Security Council.

I now give the floor to Mr. Kishore Mahbubani, Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia.

Mr. Mahbubani: Let me begin by commending you, Mr. President, for organizing this meeting, which we believe is a very useful one to have, primarily because there is no formal mechanism for handing over the chairmanship of a Security Council committee. In our case, for example, we do not know who the next Chairman of the Liberia sanctions Committee will be. So, the purpose of our remarks today is to try and help the incoming Chairman do his work when he takes on the chairmanship of the Committee. In doing so, let me stress, as you have and as have Ambassador Kolby and Ambassador Ryan, that I will be speaking in a personal capacity and none other.

By way of background, there are at present only three United Nations Member States that are subjected to sanctions on the State itself. In the other cases, the sanctions have either been lifted or suspended or have been imposed on non-State actors. Those three States are Iraq, Liberia and Somalia. Of course, the sanctions on Iraq are a much bigger job. The sanctions on Liberia are a much smaller job. I admire the work that Ambassador Kolby has done.

In our case, three measures were imposed on Liberia: the expansion of the 1992 arms embargo by resolution 1343 (2001) of 7 March 2001; the May 2001 embargo on the direct and indirect import of all rough diamonds from Liberia; and a travel ban on senior Liberian Government members, senior military officers and their spouses, and individuals providing financial and military support to rebel groups in the region, as designated by the sanctions Committee. All three measures were extended for another year in May 2002 by resolution 1408 (2002).

Allow me to comment briefly on the question of the performance of the Committee. Basically, as we said to the Council in formal consultations, we have good news and bad news. The good news is that we have probably succeeded in achieving the objective described in paragraph 3 of resolution 1343 (2001), which "Stresses that the demands in paragraph 2 above are intended to lead to further progress in the peace process in Sierra Leone". As we all know, the good news is that the peace process in Sierra Leone has gone well, especially since President Kabbah declared the end of the war in January this year and since Sierra Leone also successfully completed its elections in May this year.

The bad news is that the three Panel of Experts reports have documented continued violations of the sanctions by the Government of Liberia and by other groups, including the Liberians United for Reconciliation and Democracy (LURD). That creates, I

suppose, a dilemma for the Council next year in terms of weighing the political considerations of the goals achieved against the legal considerations of the continuing violations. That is the challenge that the Council will face next year.

Turning to the Committee's work for next year, we have tried to document the lessons that we have learned. We have come up with seven lessons, which we would like to share with the Council.

The first lesson is that it is very important for any Chairman of a sanctions committee to visit the region. There is absolutely no substitute for first-hand, direct contact with the country on which sanctions have been imposed and with the other countries in the region. In that regard, I must say that we had a very useful visit in April 2001, and I congratulate the Secretariat on the remarkable work they did in organizing our visit. For me, going to the region was an eye-opener. When I arrived there, I explained to all the Liberians that we met that the Security Council had imposed some very smart sanctions: an arms embargo, a diamond embargo and the travel ban. Yet I found, as I will discuss later, that the sanctions also had a psychological impact on the population as a whole. That is something that one can discover only by going to the region oneself. It is something to which we should pay attention.

The second lesson we learned is that it is important to have a comprehensive policy for any sanctions arrangement. Sanctions alone cannot be the sole policy of the Council. Frankly, in the case of Liberia, that is one problem that we constantly had: not knowing exactly where the sanctions fitted into the overall policy of the Council. But that problem has been solved by Ambassador Aguilar Zinser. I want to congratulate him and the Mexican delegation on having succeeded in persuading the Council to adopt, on 13 December 2002, the presidential statement contained in document S/PRST/2002/36. We think that it is a very important complement to the work being done on sanctions in Liberia.

The third lesson we have learned is that it is extremely important for a sanctions committee to be provided with adequate resources. Here, the problem that any sanctions committee has — because I am sure that this applies to others, too — is that we clearly do not have the resources to monitor whether or not the sanctions are being respected. In the case of the Liberia Sanctions Committee, we had to rely upon the ad hoc Panel of Experts that was set up. But the problem with those panels of experts is that they work on what I call a stop-start basis. They are suddenly jump-started, they work for three months, they come up with a report and then they stop their work. Then there is a gap. When we need more information, we jump-start them again, they work for a few months and then they stop again. That process of stopping and starting creates problems, because what happens, for example, is that you lose some of the expertise. We lost the chairman of our Panel of Experts and, in due course, we also lost one of the experts, the Interpol expert.

So information is lost when the panels are disbanded. That is why we have recommended that an early decision be made next year to set up this Panel because the more time that it is given, the better work it does. I want to stress for the record that, despite the fact that they have to work under unsatisfactory conditions, it is remarkable what valuable and insightful reports those panels have presented to the Council.

The fourth lesson we learned was about the difficulties in the implementation of sanctions. I will talk briefly about the arms and diamonds embargoes and the travel ban. In the case of the arms embargo, I think we all know — and it is documented in the most recent report of the Panel of Experts — that the arms embargo is being visibly flouted both by the Government of Liberia and by Liberians United for Reconciliation and Democracy (LURD). Indeed, the latest period report states that, between June and August 2002, more than 200 tons of weapons and ammunition arrived in Liberia. In the same report, it was also mentioned in paragraph 7 that the Panel had observed that arms also continued to reach LURD rebels through neighbouring countries. So, clearly, the arms embargo is not functioning as it should and something has to be done by the Council in that regard.

Also, not enough attention is being given by the Council to the implementation of the provisions of paragraph 4 of resolution 1343 (2001), which demands that all States in the region prevent armed groups from using their territory to prepare and launch attacks on neighbouring countries.

Let me also raise one specific problem that arises from the procedures used by the Panel of Experts. The fundamental method they use is "naming and shaming". They name the countries involved and they

hope that that will prevent the countries from violating the arms embargo. But sometimes, in some cases, the countries have come back and said that they need more information, or have asked if they can explain what happened. Then we arrive at a practical problem, because when the Panel's mandate has expired, the Panel has been disbanded and there is no mechanism available within the Secretariat to deal with responses from Member States or individuals who dispute the allegations contained in the Panel's reports or to deal with requests from Member States and individuals named in those reports who seek further information on those allegations.

Here, I want to endorse the point made by Ambassador Ryan that the Council has to address the problem of continuity on this issue and clearly retain the expertise to deal with complaints from Member States. One specific suggestion I would have is, for example, if indeed the Panel of Experts is set up again, we should at least retain one of the experts to respond to queries from Member States, if they raise questions about the reports of the Panel of Experts.

Secondly, on the diamonds embargo, there clearly is also evidence that it has not been working very well. There is a reverse trend of Liberian diamonds being smuggled out of Liberia and sold as diamonds to neighbouring countries. I also want to mention that, despite the explicit call in the resolution for Liberia to set up a diamonds certification system, the technical assistance for that has not been forthcoming. In addition, one problem that will also need to be addressed is the fact that the diamond embargoes imposed by the Council and the international control regime set up by the Kimberly Process may not necessarily be working in harmony and there is a need to harmonize those two tracks also.

Thirdly, clearly, of all the sanctions imposed on Liberia, the most effective measure was the travel ban. That is what clearly hurt the Government of Liberia more than anything else. It is also in a way the most controversial, because there is no fixed criteria for the listing and de-listing of names on the travel-ban list. Consequently, individuals are usually proposed for the travel-ban list through the provision of information by some members of a sanctions Committee, and the other members of the Committee generally agree to the inclusion or deletion of names on the basis of trust.

But, because there are no clear rules for listing or de-listing, situations arise where a name that ought to be put on the list is withheld because of the objection of a single member, or a name that could be deleted is retained for the same reason. I think there needs to be a more transparent process in the Committee for the designation or deletion of names from the travel-ban list. It is very difficult, frankly, when one is chairman of such a committee to be confronted with an individual who writes you a long passionate letter explaining why he should be removed from the list, and you have to reply to him saying, sorry, we cannot agree to this, when you can give him no reasons for this.

The other problem we had with the travel-ban list is that we often had skimpy information on the individuals on the travel-ban list and countries have complained that they could not impose the travel ban when they have been given just the name and designation, without passport numbers and so forth. We hope that that will also be addressed in the future.

Let me turn now to the fifth lesson we learned, which is the unintended consequences of sanctions. As I mentioned earlier, the sanctions that were imposed on Liberia were intended to be smart sanctions and were not intended to have any kind of adverse impact on the population of Liberia. But, as I hinted earlier, they have had a psychological impact on the population, and the sad truth is that at about the same time that the sanctions were imposed on Liberia, the humanitarian situation in Liberia worsened. The most recent report of the Panel of Experts makes it very clear that the humanitarian crisis in Liberia is not a result of the sanctions that were imposed. That is very clearly established by the most recent report of the Panel of Experts. But, at the same time, it also makes it clear that Liberia is facing a serious humanitarian crisis and that humanitarian assistance to Liberia has decreased. That is something that clearly has to be addressed.

Of course, the Government of Liberia has taken advantage of this humanitarian crisis to wage a successful propaganda campaign in Liberia to convince the Liberian population that the humanitarian problems that they face are due to United Nations sanctions. There is one thing the Council can do better next year, and that is to fight that propaganda battle and convince the Liberian population that their problems are not due to the sanctions imposed on them.

The sixth lesson that we learned has to do with one of the instructions given to us when the Committee was set up and contained in paragraph 14 (c) of resolution 1343 (2001), which states that we should, as a Committee:

> "promulgate expeditiously such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 5 to 7 above."

Unfortunately, after two years, we have not been able to agree on the guidelines for the Committee. The good news is that that did not deter the work of the Committee. We managed to get our work done, despite the absence of guidelines. But that situation is clearly unsatisfactory and it is something that will hopefully be remedied in due course. But, as we all know, a similar problem has also been holding up the work in the Working Group on sanctions. We hope that that Working Group on sanctions will find the solution to the problem of establishing clear guidelines.

The seventh and final lesson, which ties into the point of our institutional memory, is about support. We want, at this point, to thank the Secretariat for the tremendous support they give us, in particular to Loraine Rickard-Martin, James Sutterlin and Armie Decepida, without whom, frankly, our sanctions Committee could not have worked. They did a tremendous job, and we want to thank them for it. But as we leave, we want to encourage them to work harder with our successors and to continue to provide them good advice, because, frankly, the sanctions Committee relies a great deal on the Secretariat for its work.

I now give the floor to Ambassador Jagdish Koonjul, Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.

Mr. Koonjul: For the same reasons that Ambassador Kishore Mahbubani mentioned earlier, I thank you, Mr. President, for organizing this meeting. I welcome this opportunity to provide a briefing on the work of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, over which I had the honour to preside for the past 10 months.

As members will recall, the Working Group was established following the public meeting on the situation in Africa held last January with the participation of His Excellency Mr. Amara Essy, Secretary-General of the then Organization of African Unity — now the African Union — and of several ministerial delegations, which led to the Security Council's adoption of presidential statement S/PRST/2002/2. That presidential statement requested the Council to give serious consideration to the setting up of an ad hoc working group to monitor the recommendations contained in the statement and to enhance coordination and cooperation with the Economic and Social Council — whose President, by the way, participated in a Council meeting for the first time on that occasion.

The Security Council subsequently established the Working Group in February with the following mandate: first, to monitor the implementation of recommendations contained in the presidential statement and in previous presidential statements and resolutions regarding conflict prevention and resolution in Africa; secondly, to propose recommendations on the enhancement of cooperation between the Security Council and the Economic and Social Council as well as with other United Nations agencies dealing with Africa; thirdly, to examine, in particular, regional and cross-conflict issues that affect the Security Council's work on African conflict prevention and resolution; and fourthly, to propose recommendations to the Security Council aimed at enhancing cooperation in conflict prevention and resolution between the United Nations and the Organization of African Unity as well as with other subregional organizations.

The very first meeting of the Working Group, which was held at the ambassadorial level, provided an opportunity for a very rich exchange of views and a powerful brainstorming session, which in turn gave the Group a general sense of direction and the broad parameters of its work. It was agreed that, in fulfilling its mandate, the Working Group would not duplicate the Security Council's work but would rather bring added value to it by looking at issues of importance to Africa, which generally are not adequately discussed in the Council.

In May, under the Singaporean presidency of the Council, I had the opportunity to present the Working Group's programme of work to the general membership at a public briefing presided over by the Minister for Foreign Affairs of Singapore. The debate that followed confirmed the general membership's approbation of the relevance of the Working Group and of the work programme that I had outlined. Here, I should like to express my gratitude for the wide support and

encouragement that my Working Group received from the general membership at that meeting. I am also thankful to the Singaporean presidency for the very succinct report that it presented at the end of the meeting.

After a number of meetings, my Working Group presented a first set of recommendations to the Security Council in August this year (*see S/2002/979, annex*); they related to a group of friends, to cooperation with the African Union and to Guinea-Bissau.

In brief, with regard to the group of friends, the Working Group based its discussions on background information provided by the Department of Political Affairs on the work of the Group of Friends of the Secretary-General as well as on the experiences of Member States that had launched similar groups.

On cooperation with the African Union, the Working Group discussed extensively the question of enhancing cooperation between the Security Council and the African Union. In that regard, the Working Group heard the views of the Permanent Observer of the African Union in New York and formulated a number of recommendations. I am pleased to report that there is now general and greater awareness among Council members of the African Union's activities with respect to conflicts in Africa.

With regard to Guinea-Bissau, the Working Group had a rich exchange of views with the participation of the Permanent Representative of Guinea-Bissau, the President of the Economic and Social Council, the Department of Political Affairs, the United Nations Development Programme, the International Peace Academy and the Permanent Representative of the Gambia, who acted as Chair of the Group of Friends on Guinea-Bissau. After discussing Guinea-Bissau's current peace-building needs and the obstacles that were being encountered by that country in addressing those needs, the Working Group made a number of practical recommendations.

A second set of recommendations, relating to the enhancement of the effectiveness of the Representatives and Special Representatives of the Secretary-General in Africa, were made by the Working Group on 9 December (*see S/2002/1352, annex*). While preparing those recommendations, the Working Group consulted with the Department of Political Affairs, the Office of the African Union and the Office of the Secretary-General. I should like to stress here that the recommendations concerning Representatives and Special Representatives of the Secretary-General do not in any way reflect the performance of existing Representatives and Special Representatives but are intended to suggest ways and means to enhance their effectiveness.

The Working Group also held briefing sessions on the New Partnership for Africa's Development and on the activities of the United Nations Electoral Assistance Division in order to provide the delegations of Council members with a better understanding of those issues while they deal with their work in the Council. In addition, the International Crisis Group was invited to brief the members of the Working Group on the Mano River Union prior to the workshop that the United Kingdom presidency organized in the month of July.

The most significant achievement of the Working Group has been the promotion of close cooperation between the Security Council and the Economic and Social Council. Indeed, there is a growing recognition that the Security Council and the Economic and Social Council should cooperate and coordinate their activities for lasting solutions to conflicts. It was in that spirit that the President of the Economic and Social Council was invited to participate in the public meeting of the Security Council on the situation in Africa in January and in the meetings that the Working Group held subsequently.

Likewise, the President of the Economic and Social Council invited me, in my capacity as Chair of the Security Council's Working Group, to participate in the Economic and Social Council's commemoration of the tenth anniversary of the General Peace Agreement for Mozambique, which was held on 4 October 2002. More recently, at the invitation of the Economic and Social Council, I participated in the joint Security Council-Economic and Social Council mission to Guinea-Bissau with the Economic and Social Council Ad Hoc Advisory Group on African Countries Emerging from Conflict. We had a very constructive meeting in Guinea-Bissau, and later in Washington with the Bretton Woods institutions, and it is hoped that very useful recommendations will be made that will help Guinea-Bissau. Such joint activity illustrates the close cooperation that we have been able to establish between those two important organs of the United Nations.

As the Mauritius membership of the Council will be ending this month, and since the Working Group will come up for review in February next year, I should like, in my personal capacity, to make certain observations on the future of the Working Group. In our opinion, the Working Group's informal nature makes it an ideal forum for discussion of issues relating to Africa, especially because the Group invites speakers from various organizations to brainstorm on African issues. Although the Security Council spends most of its time on African issues, it hardly has the time to devote itself to in-depth discussions. The Working Group compensates for that shortcoming. With the events of 11 September 2001 and other pressing problems that the Council must address — combined with a number of positive developments in Africa — there may be a tendency to move the focus away from African problems. The Working Group, we feel, will greatly help in maintaining the focus on African issues.

The link that has been created by the Working Group with the Economic and Social Council will not, we believe, survive on its own. The cooperation between the two Councils is of vital importance, and the Working Group can provide the vital link for the continuation of such cooperation. The approach that the Working Group and the Economic and Social Council have taken with regard to Guinea-Bissau can also be applied to many other countries emerging from conflict, such as, for example, the Central African Republic, Burundi, Angola and even Liberia at some stage in the future.

The African Union and subregional organizations in Africa are important partners of the Security Council with respect to dealing with conflicts in Africa. We believe that the Working Group can be of significant importance in strengthening the partnership among the Security Council, the African Union and subregional organizations in Africa. It is therefore our view that there is merit in maintaining and in strengthening the Working Group well beyond its current mandate. We also believe that the dialogue that was initiated with the African Union by inviting the Secretary-General of the African Union to participate in the Council's public meeting last January, should continue. We certainly hope that next year the new Council will follow up on that.

Finally, I would like to thank all Council members for the support which they have given me in the Working Group. I would like, in particular, to thank the Department of Political Affairs — Assistant Secretary-General Kalomoh and Ms. Vogt — as well as the whole Secretariat team for the continuous assistance that they have provided to the Working Group. I would like to make a special mention of the support that I received from Ambassador Gerry Corr, the Deputy Permanent Representative of Ireland, for the comprehensive paper that he presented on the New Partnership for Africa's Development, from the United States delegation, in particular Mr. Rick Mills, for their contribution on the role of Special Representatives of the Secretary-General. I would like to take this opportunity to thank all the members of my own team, in particular Mr. Jingree, for their dedicated support, which made the work of my Committee easier, and for the recommendations which we have made in regard to the work of the Working Group. We certainly hope that Council members will give serious consideration next year to continuing the Working Group and even to strengthening it further.

The President (*spoke in Spanish*): I now give the floor to Ambassador Wegger Christian Strømmen, Chairman of the Security Council Working Group on Peacekeeping Operations.

Mr. Strømmen: The Working Group on Peacekeeping Operations conducted a total of eight formal meetings in 2002, including one meeting with troop-contributing countries to the United Nations Mission in Sierra Leone (UNAMSIL) — commonly known as the new mechanism — which was held on 28 August.

By means of a note by the President of the Security Council of 14 January this year (S/2002/56), the Council adopted the mandate of the new mechanism for cooperation with troop-contributing countries, set out as an integral part of the mandate of the Security Council Working Group on Peacekeeping. This represented the culmination of a year-long process aimed at strengthening cooperation and consultation between the Security Council, the Secretariat and troop-contributing countries.

Following the adoption of that note, the Working Group was not given any immediate tasks by the Council. Consequently, no meetings were held before the end of May this year. The Working Group then met to discuss two non-papers, introduced by the United Kingdom and the Russian Federation respectively, on

how to improve military advice to the Security Council. The need for enhanced and improved military advice to the Council was acknowledged by members of the Group. However, it was not possible to reach any agreement on the recommendations put forward in the non-papers.

Given a couple of incidents relating to actors wishing to participate in troop contributors' meetings in accordance with resolution 1353 (2001), the Working Group was tasked to elaborate an approach aimed at avoiding such incidents in the future. The response by the Working Group, adopted in the note by the President (S/2002/964) of 27 August, was an attempt to establish a coherent and inclusive practice in this field. The note outlines that actors listed in annex II.B of resolution 1353 (2001), which do not have an automatic right to participate in the mentioned meetings, should make a request for participation to the President of the Council, and that the President, following consultations with Council members, should extend an invitation as appropriate and instruct the Secretariat accordingly. It now rests on all actors involved to implement that new procedure.

I will now turn to the meeting of the so-called new mechanism for cooperation with troop-contributing countries held on 28 August. As Council members will recall, this was the first meeting held in this new format. As Chairman of the Working Group, I am pleased to note that the meeting was generally appraised in positive terms by Council members and troop contributors alike. It was pointed out that the meeting gave rise to a more substantive debate compared to the consultation meetings under resolution 1353 (2001), and that the smaller format and the specific, well-defined agenda item contributed to a fruitful exchange of views among Council members, troop-contributing countries and the Secretariat.

The experience gained so far suggests that such meetings are not likely to overburden the Council or to interfere with its prerogatives. On the contrary, in my view, the new format has its merits, and efforts should be made towards its further improvement. I would therefore encourage close contact and consultations among Council members, troop-contributing countries and the Secretariat with a view to organizing further meetings of the mechanism when this is deemed appropriate. This will, not least, serve the important purpose of strengthening the much-needed partnership between those who design and those who implement the mandates of United Nations peacekeeping operations.

Towards the end of the year, the Working Group informally discussed possible topics which should form the basis for future elaboration, with the overall aim of improving practices within United Nations peacekeeping. In that regard, challenges relating to command and control in peacekeeping operations, lessons learned, and disarmament, demobilization, reintegration and rehabilitation have been raised by members. However, it has been underlined that before any debate can be launched, the specific challenges to be addressed should be clearly defined, taking due account of the mandate of the Working Group as well as the mandates of other relevant bodies in order not to duplicate efforts. This preparatory work is currently ongoing, and the Working Group might therefore wish to revisit it under its new Chair.

The Working Group on Peacekeeping Operations is a standing organ under the Security Council mandated to consider both generic and mission-specific aspects of peacekeeping operations. As the outgoing Chairman, I take the view that the Security Council would benefit from continued input from the Working Group in both these areas as a means to strengthen United Nations peacekeeping capacity.

The President (*spoke in Spanish*): I thank Mr. Strømmen for his briefing on the work of the Security Council Working Group on Peacekeeping Operations.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.20 a.m.